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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,581	01/06/2006	Horst Vestweber	40515.0001USWO	3223
23416 7590 06/18/2010 CONNOLLY BOVE LODGE & HUTZ, LLP P O BOX 2207 WILMINGTON, DE 19899				
EXAMINER				
WILSON, MICHAEL H				
ART UNIT		PAPER NUMBER		
1786				
MAIL DATE		DELIVERY MODE		
06/18/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10563581	1/6/2006	VESTWEBER ET AL.	40515.0001USWO

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## EXAMINER

CALLIE E. SHOSHO

ART UNIT	PAPER
1787	20100610

DATE MAILED:

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Commissioner for Patents

## DECISION ON PETITION

This is a decision on the petition filed 7/30/07 to correct inventorship under 37 CFR 1.48(a). It is noted that such correction of the inventorship requires (1) a request to correct the inventorship that sets forth the desired inventorship change; (2) a statement from each person being added as an inventor and from each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part; (3) an oath or declaration by the actual inventor or inventors as required by § 1.63 or as permitted by §§ 1.42, 1.43 or § 1.47; (4) the processing fee set forth in 1.17(i); and (5) the written consent of the assignee under 37 CFR 3.73(b).

While applicants have met requirements (1), (2), and (4) as set forth above, applicants have not met requirements (3) and (5). Specifically, while a declaration by the actual inventors was filed, the declaration is not proper given that the name of one inventor is incorrect. The declaration discloses inventor name "Philipp Stoessel" and not "Philipp Stöfel" (see page 1 of the Request to Correct Inventorship as well as the statement from the inventor which both refer to inventor Stöfel not Stoessel). Further, while there is a written consent of the assignee as required under 37 CFR 3.73(b), the consent also refers to inventor name "Philipp Stoessel" and not "Philipp Stöfel".

The petition is DENIED.

/Callie E. Shosho/  
Supervisory Patent Examiner, Art Unit 1787